

CHAPTER 3

Policy Guidance

3.1 POLICY CONCERNING USE OF AIRCRAFT

3.1.1 Special Policies

3.1.1.1 Emergency and Humanitarian Operations. Naval aircraft operations are authorized in emergencies such as forest fire prevention, search, rescue, major calamities, and for humanitarian reasons involving life-threatening circumstances. Notification of the operation shall be made to CNO or CMC, as appropriate, and the responsible local commander, but without delaying action when time is an essential factor.

3.1.1.2 Theater Indoctrination Training. Prior to operating at other than U.S. airports, commands/detachments shall receive specific training for the theater(s) in which the unit will operate. As a minimum, this training shall include a thorough review of theater-unique instrument requirements and procedures, the use of non-DOD instrument approach procedures, required instrumentation for specific approaches, theater weather, and local area procedures.

3.1.1.3 Special Airlift Requirements. Special airlifts shall meet the following requirements:

- a. The sole purpose of the flight must be to provide air transportation for the accomplishment of urgent business in the national interest that would suffer if other forms of transportation were relied upon.
- b. The flight must be in the national interest or result in cost savings to the Department of the Navy.

3.1.1.4 Assignment of Aircraft to Specific Individuals. Unless otherwise authorized by the Secretary of the Navy, no naval aircraft will be assigned to a specific individual nor shall any individ-

ual require a specific aircraft or aircraft crew be made available for exclusive use. This does not preclude the display of pilot and crew names on aircraft.

3.1.1.5 Flights Requested by Civilian Contractors. A civilian contractor request to use naval aircraft for flight(s) not directly associated with the terms of their contract shall be referred to CNO (N780) for authorization.

3.1.1.6 Aircraft Performance Record Attempts

- a. Proposed aircraft performance record attempts shall be submitted to CNO (N780) for consideration. Appropriate details, including predicted performance and estimate of results, shall be submitted.
- b. The Director, Air Warfare Division, will take appropriate action to obtain the approval of the Assistant Secretary of Defense through the Office of Information and will obtain National Aeronautics Association sanction for the proposed record attempt(s).

3.1.1.7 Celebrations. Rules for participation of naval aircraft in celebrations are currently contained in SECNAVINST 5720.44, Department of the Navy Public Affairs Regulations.

3.1.1.8 Shipment Orders. Shipment orders specifying transfer by air or aircraft do not imply orders or authority for the indicated flight.

3.1.1.9 Travel Orders. This instruction does not grant authority to issue orders to personnel for travel where expenses for the personnel are involved. Such authority originates from instructions issued by the Chief of Naval Personnel (CHNAVPERS) or U.S. Marine Corps, as applicable.

3.1.1.10 Embarkation of Passengers

a. No person shall be enplaned as a passenger nor shall any cargo be embarked on a naval aircraft unless authorization has been granted by competent authority in accordance with applicable directives. (See OPNAVINST 4630.25, and NAVSUP Publication 505.) **Military Sealift Command personnel (i.e., CIVMARS), DOD civilian employees, federal agency technical representatives (Tech Reps), and contract field services personnel may be authorized VOD/COD transportation with approval by competent authority in cases of official business.** No person shall be carried in a taxiing aircraft as a passenger unless such person is authorized to fly in it or has been authorized by competent authority to be embarked therein.

b. Fleet Commanders in Chief; Commander in Chief, U.S. Naval Forces, Europe; and Chief of Naval Air Training may authorize carrier onboard delivery/vertical onboard delivery (COD/VOD) transportation for civilian guests and other designated personnel not otherwise qualified for Government air transportation. Their authority may be delegated to numbered fleet commanders and type commanders and is granted for the specific purpose of facilitating embarkation/debarkation of these selected individuals when ships are at sea. It shall not be extended to include flights of convenience for the individual(s) concerned. Due consideration shall be given to the age and physiological characteristics of the individuals, particularly when catapult launchings or arrested landings are involved. (See paragraph 8.4.2 regarding aeromedical and survival training requirements for passengers.) Night overwater helicopter passenger flights to/from ships are prohibited except in cases of operational necessity. This does not preclude troop movement in support of amphibious exercises (operations) or special operations missions.

c. COD/tilt-rotor overwater flights at night are authorized. The following restrictions apply when carrying passengers:

- (1) **Ship** launches and recoveries shall be made during daylight hours.
- (2) **Ship** launches shall be conducted not less than 60 minutes prior to sunset. This time constraint may be waived to 30 minutes by the Bat-

tle Group Commander/**Amphibious Squadron Commander/Officer** in Tactical Command.

d. The pilots in command/mission commanders of a naval aircraft (while absent from home unit) may authorize air transportation for personnel and/or equipment not otherwise qualified for Government air transportation (i.e., civilian physicians, paramedic teams, sheriff department personnel, park rangers, search dogs, medical equipment, etc.) when required for the successful prosecution of a search and rescue (SAR), medical emergency evacuation (MEDEVAC), or disaster relief mission. This authority shall only be exercised when all practical means of obtaining authorization from competent authority in accordance with applicable directives (OPNAVINST 4630.25 and NAVSUP Publication 505) have proven unsuccessful or unavailable. Appropriate authority shall be notified of such air transportation as soon as practicable.

3.1.1.11 Flight Training. Flight training in Navy or Marine aircraft shall not be given to any individual without specific authorization of CNO or CMC.

3.1.1.12 Aircraft of Other Services. Naval aviators may fly aircraft of another service, provided the other service has no objection.

3.1.2 Nonessential Flights. The use of aircraft for nonessential flights shall not be authorized. Any flight open to misinterpretation by the public shall be avoided. Examples of flights that are considered nonessential are as follows:

- a. Flights of a routine business nature for which commercial or other military transportation could be more economically substituted
- b. Flights for any officer or group of officers, the sole purpose of which is the convenience and/or prestige of the officers concerned and not the performance of official duties or accomplishment of bona fide training
- c. Repeated flights to the hometown area of flight personnel concerned
- d. Flights coinciding with major sports events or civic celebrations.

3.1.3 Personnel Authorized To Pilot Naval Aircraft. When qualified in accordance with current directives, the following personnel may pilot Navy and Marine Corps aircraft.

Note

Requests for authorization required by the following subparagraphs shall be forwarded sufficiently in advance to allow for staffing through the chain of command prior to the proposed flight.

3.1.3.1 Regular and Reserve Personnel. Regular and Reserve personnel on active duty under appropriate orders to duty in a flying status including:

- a. Naval aviators of the Navy and Marine Corps
- b. Coast Guard aviators and aviation pilots
- c. Students undergoing authorized courses of instruction in flight training
- d. Rated pilots of the U.S. Air Force and U.S. Air Force Reserve
- e. Army aviators
- f. Rated pilots of the Air National Guard and National Guard
- g. Aeromedical Dual Designators who are pilots and serving as such under the provisions of OPNAVINST 1542.4.

3.1.3.2 Other Military Personnel

- a. Naval aviators under the cognizance of COMNAVAIRESFOR or CG FOURTH MAW whose status as naval aviators has been confirmed by BUPERS or Headquarters, U.S. Marine Corps
- b. Coast Guard aviators and aviation pilots of the Coast Guard Reserve whose status has been confirmed by the Commandant, U.S. Coast Guard
- c. Naval, Marine Corps, and Coast Guard Reserve students undergoing authorized courses of instruction in flight training

- d. Officers of the Naval and Marine Corps Reserve not designated as naval aviators, but specifically authorized to pilot aircraft by CHNAVPERS or the Commandant, U.S. Marine Corps.

3.1.3.3 Civilian Aircraft Pilots. Civilian aircraft pilots are those employed in a flight status by agencies or departments of or contractors to the U.S. Government when such flights are in the interest of the U.S. Government and the pilots have been cleared by CNO. Authority is delegated to the Commander, Naval Air Systems Command, to approve flights in COMNAVAIRSYSCOM aircraft or in contractor custody. Contractor pilots are not permitted to fly aircraft aboard U.S. naval vessels or to perform public demonstrations in Navy aircraft without specific CNO approval. Contractor flight operations and pilot qualifications are governed by NAVAIRINST 3710.1. Flights in naval aircraft other than those in the custody of COMNAVAIRSYSCOM shall be approved by CNO.

3.1.3.4 Foreign Military Personnel. Subject to security provisions in existing directives, physically and professionally qualified personnel of foreign nations may be authorized to pilot naval aircraft as follows:

- a. The reporting custodian may authorize exchange personnel or personnel attending naval aviation training programs to pilot naval aircraft. Pilot time is not to exceed 110 hours per year except when attached to an operating squadron or as necessary in connection with a course of instruction. Personnel in this category can be designated as pilot in command.
- b. Except as indicated in the preceding paragraph, foreign pilots must be accompanied by an U.S. pilot in command. The latter shall exercise all responsibility of command set forth in this instruction. Requests for such operations shall be submitted to CNO (N789J) for approval.
- c. All personnel shall meet the minimum NATOPS qualification for the model aircraft involved.
- d. Authority is delegated to Commander, Naval Air Systems Command, to approve flights in COMNAVAIRSYSCOM aircraft or in contractor custody.

3.1.4 Personnel Authorized To Taxi Naval Aircraft

3.1.4.1 Fixed Wing. No one shall be permitted to taxi an aircraft except persons authorized to fly the aircraft or those specifically designated by their commanding officer as taxi pilots after appropriate training or checkout.

3.1.4.2 Helicopter. No one shall be permitted to taxi a helicopter except those persons who are authorized to fly helicopters.

3.1.4.3 Tilt-rotor. No one shall be permitted to taxi a tilt-rotor except those persons who are authorized to fly tilt-rotors.

3.1.5 Personnel Authorized To Perform Crew Duties in Naval Aircraft

Note

Requests for authorization required by the following subparagraphs shall be forwarded sufficiently in advance to allow for staffing through the chain of command prior to the proposed flight.

3.1.5.1 Military Personnel. Regular and Reserve military personnel under orders by competent authority to active duty or active duty for training who are qualified in accordance with current directives are authorized as flightcrew or flightcrew under training.

3.1.5.2 Civilian Personnel. DOD civilian employees and contractors to DOD may be authorized embarkation as project specialists or selected passengers when required in conjunction with assigned duties or contractual responsibilities. Point-to-point transportation is not authorized under this paragraph. Authority to approve flights for civilian personnel is delegated to the Commandant of the Marine Corps; fleet CINC's; Commander in Chief, U.S. Naval Forces, Europe; **Commander, U.S. Naval Forces Southern Command; Commander, U.S. Naval Forces Central Command;** the Chief of Naval Education and Training (CNET); Commander, Naval Air Systems Command; and the Commander, Naval Reserve Force for aircraft under their respective control. This authority may be delegated to numbered fleet

commanders and type commanders with operational/administrative control.

Note

Civilian personnel authorized in accordance with this paragraph shall comply with the aeromedical and survival training requirements set forth in paragraph 8.4 of this instruction. Contractor flightcrews governed by NAVAIRINST 3710.1 shall meet the requirements of that instruction.

3.1.5.3 Foreign Military Personnel. Subject to security provisions in existing directives, physically and professionally qualified personnel of foreign nations may be authorized to perform crew duties in naval aircraft that is in the best interest of official DOD business. Embarkation may be authorized for the purpose of performing a crew duty such as operating installed equipment or observing aircraft or crew performance. Foreign military personnel must possess proper base or installation visitation authorization.

3.1.5.4 Civilian Law Enforcement Officials (LEO). Embarkation of civilian LEOs is authorized for helicopters and non-ejection seat aircraft. SECNAVINST 5820.7 provides specific guidance for authorized missions. Authority to approve flights for LEO personnel and responsibility for establishing operational procedures is delegated to Commandant of the Marine Corps; fleet commanders in chief; Chief of Naval Education and Training; Commander, Naval Air Systems Command; and Commander, Naval Reserve Force for aircraft under their respective control. Authority to approve flights may be delegated to numbered fleet commanders and type commanders. Flight requests for high-performance, ejection seat aircraft shall be forwarded to CNO or CMC for approval.

Note

LEO personnel authorized in accordance with this paragraph should comply with the aeromedical and survival training requirements set forth in paragraph 8.4 of this instruction when time and facilities permit. The flight approval authority is authorized to waive

Chapter 8 requirements. CNO (N78) shall be an information addressee on all such waiver requests and approvals.

3.2 ORIENTATION FLIGHTS

This section establishes policy, procedures, and approval authority for orientation flights and implements DOD guidance set forth in OPNAVINST 4630.25C.

3.2.1 Purpose

a. Individuals are selected to participate in orientation flights for one of the following purposes:

- (1) To familiarize them with an aircraft, its operation, capabilities, requirements, concept of employment, or limitations.
- (2) To familiarize them with a base complex from the air for official purposes other than merely sightseeing or goodwill.
- (3) To allow FAA personnel to perform official functions that require their infrequent embarkation on naval aircraft.

b. Orientation flights are typically one-time events for participants in a particular model aircraft. Orientation flight status shall not be used to circumvent normal training requirements for individuals required to fly multiple flights in naval aircraft. Orientation flights for midshipmen participating in official training programs may involve multiple flights.

3.2.2 Categories of Eligible Participants for Orientation Flight. Persons who may be authorized orientation flights include:

- a. Active duty personnel, **Federal employees, and civilian contractors** when flights would materially improve job performance and are in the best interest of the Navy and/or Marine Corps.
- b. U.S. citizens who, because of position and contacts with various public organizations, can make positive contributions to public understanding of the roles and missions of the Navy and/or Marine Corps (e.g., persons affiliated with the news me-

dia, entertainment personalities). Flights of this nature are designated public affairs orientation flights. Participants must be carefully selected to ensure that the greatest benefit to understanding Navy and/or Marine Corps missions can result from such flights. Individuals shall not be selected for public affairs orientation flights solely in an effort to engender goodwill or as a reward for unusual service to the Navy and/or Marine Corps.

c. Personnel who, because of their group affiliation, are authorized orientation flights by separate directives (e.g., Explorer Scouting Program Senior Explorers/leaders, Navy League Sea Cadets, Civil Air Patrol, Naval Academy Midshipmen, Reserve Officer Training Corps/Naval Reserve Junior Officer Training Corps (ROTC/ NJROTC) students), officer students enrolled at the Uniform Services University of Health Sciences or in the Health Professions Scholarship Program and other such groups as may be designated by CNO.

d. Federal Aviation Administration (FAA) employees under the following conditions:

- (1) FAA employees engaged in flight-checking local military air traffic control procedures and facilities, navigational aids, communications and approach and departure procedures only when such flights are coordinated by the appropriate regional Navy Representative, FAA.
- (2) FAA flight examiners engaged in the evaluation or examination of rated aircrew personnel of the Military Department for civil pilot, navigator, or engineer certificates or ratings.
- (3) FAA employees participating in approved military familiarization flights under existing arrangements between the Navy and the FAA, if seating position permits direct monitoring of aircrew duties.

e. U.S. Ambassadors or their senior deputies, within overseas theaters, when invited by the overseas unified or Component commander, when the commander determines that the orientation flight is primarily in support of the DOD mission.

f. Federal/**local** Government officials, foreign officials, and members of Congress and their staffs.

g. Foreign personnel, either military or civilian, who require orientation flights in military aircraft for scientific research, development, test, and evaluation (RDT&E) purposes and to support the military assistance program (MAP)/foreign military sales (FMS).

h. Foreign military personnel of nations participating in and during the course of bilateral or multinational operations or exercises. Flights may be by shore-based aircraft or may originate and/or terminate on board ship. Fleet Commanders are authorized to approve night shorebased only orientation flights for foreign qualified aircrew.

3.2.3 Flight Prerequisites

a. All personnel participating in orientation flights shall receive an appropriate physical screening or examination. The scope of this screening or examination shall be determined by the reporting custodian flight surgeon but shall also include clearance for participation in high- and moderate-risk NASTP training.

b. Non-aviation designated personnel required to fly in an aircraft with ejection seats (i.e., Figure E-2, Category 1 aircraft) on a regular basis for mission accomplishment beyond a 90-day flying period shall complete selected passenger NASTP N3/NP3 training.

c. Non-aviation designated personnel required to fly in an aircraft without ejection seats (i.e., Figure E-2, Category 2, 3, or 4 aircraft) on a regular basis for mission accomplishment beyond a 90-day flying period shall complete project specialist NASTP N4/NP4 training specific to their selected aircraft

d. All midshipmen participating in orientation flights or on a summer cruise with possibility of flying shall complete midshipmen NASTP N2/NP7 training.

e. VIPs, military non-aviators, and non-military personnel selected for orientation flights (flight period not to exceed 90 days) shall complete VIP NASTP N2/NP8 training.

f. **Completion of Naval Aviation Survival Training Program (NASTP) is mandatory for all orienta-**

tion flight passengers unless the individuals agree to participate in the flight without training and the training requirements are waived specifically by the approving authority. Waivers for selected passenger training will, in general, not be granted. CNO (N78) will be an information addressee on all waiver requests and approvals (except USMC).

g. Non-DOD personnel are required to sign an Air Transportation Agreement, DD Form 1381, as set forth in Chapter 1 of enclosure (1) to OPNAVINST 4630.25 when the orientation flight originates in a foreign country. NATO member nation personnel are exempt from this requirement.

h. Prior to approval of flights by foreign nationals involving access to classified or controlled unclassified information, permission for the disclosure of such information shall be obtained from the Director of Naval Intelligence in accordance with SECNAVINST 5510.34.

i. Parental/legal guardian approval in writing is required prior to participation in orientation flights for anyone under 18 years of age.

j. Passenger briefing:

(1) Passengers shall be briefed on any information that may be pertinent for passenger safety and comfort. Each item should be fully explained to avoid passenger apprehension or confusion.

(2) Passengers occupying flight personnel positions shall be briefed on procedures, controls, and instrumentation.

3.2.4 Flight Limitations

a. Only highly qualified flight personnel shall be selected to conduct orientation flights.

b. All orientation flights shall be conducted within the local flying area and terminate at the point of origin. Flights outside the local flying area may be approved if the specific mission of the orientation flight cannot be accomplished within the local flying area. FAA personnel may be enplaned on a noninterference basis in order to conduct aircrew examinations or participate in familiarization

flights (as defined in paragraph 3.2.2d) for other than local flights within their own FAA region.

c. Orientation flights involving third-nation nationals into or over foreign countries will not be approved unless confirmation of entry and/or over-flight clearance for such third-nation nationals has been received from the foreign government(s) concerned in accordance with the **NIMA** Foreign Clearance Guide.

d. Except for flights with FAA personnel, orientation flights shall be performed only during daylight and with weather minimums equal to or better than VFR.

e. FAA examiners shall not be permitted to pilot an aircraft without an assigned Navy or Marine Corps pilot in command who shall exercise all responsibility of command set forth in this instruction.

f. Formation flying shall not be performed unless required for a specific purpose and authorized by the controlling custodian of the aircraft to be used.

g. Orientation flights in high-performance jet aircraft shall not be approved except when the specific aircraft utilized is integral to the orientation flight purpose.

h. Orientation flights operating from an aircraft carrier are not encouraged because of the extra hazards inherent in carrier operations. **Such flights may be authorized for midshipmen training, VIPs, MAP, FMS, or warranted within the provisions of paragraph 3.2.2.h.** COD/VOD flights, used only as a means to embark or debark personnel at sea, are not orientation flights and are therefore exempt from the provisions of this paragraph.

i. An aircraft accepted into the naval inventory shall not be used for orientation flights by contractor flightcrews unless it has been provided to the contractor under a Naval Air Systems Command contract. The use of naval aircraft under lease to contractors for orientation flights is governed by terms of the lease agreement and may not be subject to the policy and procedures contained in this instruction.

j. Flights shall be conducted at no additional cost to the Government on a noninterference basis with operations and training unless a waiver is granted by the approving authority.

k. Orientation flights may not include those flights where a record attempt is made, a first flight is made on an aircraft just accepted into the inventory, a first flight over an isolated geographical area, or any other flight of a similar or special nature where abnormal conditions may exist.

l. Individuals occupying a seat with flight controls during orientation flights are permitted to fly the aircraft during non-critical phases of flight subject to Commanding Officer and pilot-in-command approval.

3.2.5 Approval Authority. Flight approval authority includes waiver authority for **NASTP** training and specific elements therein. This waiver authority shall be applicable only for orientation flights. Letters or messages authorizing orientation flights and training waivers shall contain specific verbiage on what is being approved and waived (e.g. NASTP aviation water survival elements). For all other NASTP waivers, Chapter 8 applies.

Note

Requests shall be forwarded sufficiently in advance to allow for staffing through the chain of command prior to the proposed flight.

a. Subject to the limitations in subparagraphs (1) through (4) for approval of certain types of orientation flights, the **CMC; fleet CINCs; CINCUS-NAVEUR; COMNAVAIRSYSCOM; CNET; and COMNAVRESFOR** are authorized to approve orientation flights in aircraft under their respective operational control, to act on requests involving shipboard catapult launches and/or arrested landings, and to act on requests for exceptions to the basic guidelines as set forth in the foregoing subparagraphs of this section. Delegation of approval authority to numbered fleet commanders and type commanders (**TYCOM**) is authorized.

(1) Orientation flights for members of Congress or their staffs require prior concurrence from the Chief of Legislative Affairs.

(2) Retiring members of Congress and retiring congressional staff members may be flown on orientation flights aboard military aircraft only upon the written approval of the Assistant Secretary of Defense for Legislative Affairs.

(3) Public affairs orientation flights or orientation flights for public figures where the resulting presentation or publicity will receive national or international distribution or interest require prior concurrence from the Chief of Information (except flights approved under paragraph 3.2.5.c (3)).

(4) Orientation flights for U.S. Ambassadors or their senior deputies within overseas theaters must be approved by the theater unified or component commander.

(5) Authority is delineated in OPNAVINST 4630.25 concerning specific procedures for approval of flights requested for diverse groups such as ROTC students, NJROTC students, Explorer Scouting Program Senior Explorers and leaders, and the Civil Air Patrol. Any flights so approved shall be subject to the provisions of paragraphs 3.2.3 and 3.2.4.

b. To expedite action and simplify procedures for approving certain routine flights, further delegations of approval authority are contained in subparagraphs (1) through (9).

(1) Reporting custodians or higher authority for military personnel on active duty or on active duty for training only for orientation flights in aircraft not equipped with ejection seats and/or personal oxygen systems (excluding emergency oxygen systems).

(2) Type Wing Commander/Carrier Air Wing Commander/Marine Aircraft Group Commander for DON personnel on active duty as recognition for superior performance in aircraft equipped with ejection seats and/or personal oxygen systems. These flights shall not involve shipboard catapult launch and/or arrested landing. Commanders listed in paragraph 3.2.5(b) retain NASTP requirements waiver authority.

(3) Reporting custodian or higher authority for Federal employees, government officials, or civilian contractors for the purposes of familiarization of a base complex or operating area in aircraft not equipped with ejection seats and/or personal oxygen systems (excluding emergency oxygen systems).

(4) COMNAVAIRSYSCOM for flights in aircraft under NAVAIRSYSCOM controlling custody and those aircraft that have been ordered but not accepted by the Navy from a manufacturer.

(5) CNATRA for all news media personnel to be given orientation flights by the U.S. Navy Flight Demonstration Squadron (Blue Angels).

(6) CNATRA orientation flights for contract flight instructors, faculty members, NROTC students, and non-NROTC senior college students participating in the NROTC Aviation Indoctrination Program.

(7) Appropriate COMFAIR of flag rank; CNATRA; MARFORLANT; MARFORPAC; CG FOURTH MAW; COMNAVAIRESFOR; and their seniors in the chain of command for FAA air traffic control specialists and FAA examiners. CNATRA may delegate to reporting custodians the authority to approve requests for FAA examiner personnel to fly on local flights when engaged in the evaluation or examination of Naval Air Training Command (NATRACOM) military personnel.

(8) CNATRA or TYCOM for influential persons who have potential to directly influence local recruiting efforts. Commander, Navy Recruiting Command shall coordinate with appropriate authority for approval. A copy of approval letters shall be forwarded to CNO (N789J), CNET (00P), CNATRA (N-33), and COMNAVSAFECEN (Code 11). Flights in high performance aircraft are not authorized.

(9) Task force commanders of flag rank within the numbered fleets or the fleet commander for foreign military personnel authorized under paragraph 3.2.2h.

3.3 FLIGHT DEMONSTRATIONS AND STATIC EXHIBITS

3.3.1 Naval Aircraft Participation. Participation of naval aircraft, other than the scheduled appearance of the flight demonstration squadron, **in any airborne display is not encouraged and should only be approved** in the most exceptional and carefully considered situations (e.g., occasional flights at unique aviation related events and station open houses; however, does not include routine changes of command, sporting events, etc.). Static displays by naval aircraft at aviation events are encouraged within the limits of available resources. The approving command shall ensure that a safe, professional and appropriate event is conducted weighing the risks against the benefits of any airborne demonstration (to include demonstration parachute jumps). Approval authorities are required to ensure event coordinators obtain necessary FAA/ICAO waivers in a timely manner. SECNAVINST 5720.44 further discusses participation of naval aircraft at public and private gatherings.

3.3.2 Approval Authority. The Commandant of the Marine Corps; Fleet CINCs; CINCUSNAVEUR; COMNAVAIRSYSCOM; **COMUSNAVCENT; COMUSNAVSO; COMNAVAIRSYSCOM;** CNET; and the Commander, Naval Reserve Force, may authorize flight demonstrations sponsored by respective subordinate commands and activities. Their authority may be delegated to numbered fleet, type, and Echelon 3 commanders.

3.3.3 Regulations. The following regulations apply to participation in flight demonstrations and static displays:

- a. Flight personnel assigned to participate in flight demonstrations should be those with the maximum training and experience. No pilot shall be permitted to participate who has not currently demonstrated to the commanding officers satisfaction complete familiarity with the flight characteristics by performing with precision and safety all maneuvers to be demonstrated.
- b. No extra hazardous or unusual maneuvers shall be planned or permitted at the demonstration. Routine maneuvers shall not be conducted in a manner that could make them hazardous (i.e., at exces-

sively low altitudes or with undue close interval between aircraft). Care shall be exercised in planning and conducting the demonstration to provide maximum safety to personnel and property in event of mishap. Any ordnance delivery or expenditure in connection with a demonstration ashore for nonmilitary personnel shall receive prior specific approval from the type commander concerned.

c. Coordination shall be achieved with air traffic control authorities exercising jurisdiction over the affected airspace.

d. When deciding whether to allow public access to naval equipment, any probability of risk must be considered. Any doubt shall be resolved by limiting or denying public access and strictly enforcing the decision once it has been made.

e. Personnel assigned to aircraft static displays shall be selected for their maturity, appearance, personality, demonstrated soundness of judgment, and knowledge of equipment. Commanding officers shall ensure that the pilot in command is particularly sensitive to any hazards that the aircraft might present to an uninformed spectator.

f. The aircrew of an aircraft used for static display shall be in attendance at the aircraft and dressed in appropriate flight clothing at all times the public has access to the aircraft. **They shall take precautions to prevent damage to aircraft and ensure public is safeguarded from aircraft hazards.**

g. The public shall be denied access to the interior of all aircraft employing ejection seats or other installed pyrotechnic devices that could cause injury.

h. Ancillary equipment (workstands, etc.) must be in good condition and suitable for the purpose for which use is intended. If in the case of workstands or platforms, sufficient aircrew or other competent supervisory personnel are not available to control spectator loading to safe limits, then access shall not be permitted.

i. Aircraft selected for static display shall be clean, well painted, and prepared for public inspection.

3.3.4 Exception. The U.S. Navy Flight Demonstration Squadron, which is specially trained for such flight exhibitions, is not bound by paragraph 3.3, but will be employed in accordance with the instructions of CNATRA and the on-scene commander in each instance.

3.3.5 NATO Flight Demonstrations. Flight demonstrations (including parachutists) involving aircraft of more than one NATO nation shall be conducted in accordance with NATO Standardization Agreement (STANAG) 3533, Safety Rules for Flying Displays.

3.3.6 NATO Live Weapons Demonstrations. For NATO standardization and safety purposes, the rules and procedures for the planning and conduct of live air weapons demonstrations as specified in NATO STANAG 3564FS, Rules for Live Weapons Demonstrations, shall be adhered to when the nation is either the operator of the weapon system or is responsible for the range on which the demonstration is being held.

3.4 EMPLOYMENT OF NAVAL AVIATORS BY CIVILIAN CONTRACTORS

Civilian contractors to the Federal Government cannot legally employ a naval officer on the active list to give flight demonstrations of aircraft intended for the United States Government.

3.5 COMMAND

A naval aircraft or formation of naval aircraft shall be flown under the command of a pilot in command, mission commander, or formation leader, as appropriate, and so designated by the reporting custodian or higher authority. The status of each individual participating in the mission or formation shall be clearly briefed and understood prior to takeoff and must be indicated as required by DOD FLIP General Planning. When a flight schedule is published, the pilot in command, mission commander, or formation leader shall be specifically designated for each aircraft or formation, as appropriate. Reporting custodians shall establish minimum requirements of initial qualification and requalifications for each model aircraft in their custody and for each flight phase and/or mission normal to the aircraft models (i.e., day solo, night solo, functional check, FCLP,

air combat maneuvers (ACM), night combat air patrol (CAP), intercepts, airborne early warning (AEW), barriers, etc.). They shall be guided by the requirements of this instruction where applicable and by appropriate NATOPS manuals. Flight personnel meeting those requirements may be considered qualified in model and phase and are eligible for designation as pilot in command, mission commander, or formation leader for a specific mission.

3.5.1 Pilot in Command. Pilot in command refers to the pilot of an individual aircraft. The pilot in command is responsible for the safe, orderly flight of the aircraft and well-being of the crew. The pilot in command may also be the mission commander or formation leader when so designated. Pilot in command should not be confused with the various qualifications defined in Chapter 12. If there is no NATOPS manual for a particular model aircraft or if an existing manual fails to set forth specific initial qualifications and currency requirements, a pilot shall not be designated as pilot in command unless the pilot has made at least two takeoffs and landings and logged 5 hours of pilot time in the same model aircraft within the preceding 90 days. Also, lacking NATOPS guidance for a specific aircraft, 10 hours first pilot time in model is required for initial qualification. Pilots meeting the criteria may be considered qualified in model and phase and are then eligible for designation as pilot in command. In the absence of direct orders from higher authority cognizant of the mission, responsibility for starting or continuing a mission with respect to weather or any other condition affecting the safety of the aircraft rests with the pilot in command. The authority and responsibility of the pilot in command shall not be transferred during flight. It shall not be transferred to another individual except as required by emergency, operational necessity, or as directed by the commanding officer of the unit to which the aircraft is attached. The authority and responsibility of a pilot in command is independent of rank or seniority in relation to other persons participating in the mission or flight except for the following.

3.5.1.1 Officer in Tactical Command

Embarked. Wing, group, or squadron commander, if embarked on a mission involving aircraft of their command, retains full authority and responsibility regarding command, including the mission in which participating.

3.5.1.2 Flag or General Officer Embarked.

The pilot in command of an aircraft with a flag or general officer eligible for command at sea or in the field embarked as a passenger shall be subject to the orders of such flag or general officer in accordance with U.S. Navy Regulations. When such an embarked passenger exercises authority to command the aircraft, that passenger thereby assumes full responsibility for the safe and orderly conduct of the flight. The embarked passenger shall give due consideration to the judgment of the pilot in command regarding items of flight safety such as hazardous weather and aircraft/crew limitations. Flying rule violations, accident reports, and any other actions arising out of the flight will be referred to the embarked passenger as the responsible commander of the aircraft.

Note

The provisions of paragraphs 3.5.1.1 and 3.5.1.2 shall not be used to circumvent normal NATOPS qualification procedures if the officer desires to physically pilot the aircraft. Flights that require a NATOPS-qualified crew shall not be physically piloted by any individual not so qualified; however, the flight may be directed by an officer in tactical command embarked who is not NATOPS qualified.

3.5.1.3 Flight Control Station. The pilot in command shall occupy a flight control station during critical phases of flight (i.e., takeoff, landing, formation flight, functional checkflight (FCF), degraded aircraft performance regimes, etc.). **During an Instructor Under Training (IUT) flight in a multi-piloted aircraft, the pilot in command or a qualified IUT Instructor pilot shall occupy one of the flight control stations during critical phases of flight, provided the pilot in command remains in the flight station.**

3.5.2 Formation Leader. A formation of two or more naval aircraft shall be under the direction of a formation leader who is authorized to pilot naval aircraft. The formation leader may also be the mission commander when so designated. The status of each member of the formation shall be clearly briefed and understood prior to takeoff. The formation leader is

responsible for the safe and orderly conduct of the formation.

3.5.3 Mission Commander. The mission commander shall be a properly qualified naval aviator or NFO designated by appropriate authority. The mission commander may exercise command over single naval aircraft or formations of naval aircraft. The mission commander shall be responsible for all phases of the assigned mission except those aspects of safety of flight that are related to the physical control of the aircraft and fall within the prerogatives of the pilot in command. Mission commander qualifications shall be outlined in appropriate NATOPS manuals. The mission commander shall direct a coordinated plan of action and be responsible for effectiveness of the mission.

3.5.4 Instructors. In those aviation commands where training is conducted, the commanding officer is authorized to designate highly qualified naval aviators and NFOs as instructors. Instructor duties shall be specifically delineated by the unit commanding officer (CO) in formal directives. The instructor will be charged with authority and responsibility to provide appropriate direction to students (naval aviation or NFO) to ensure safe and successful completion of each training mission. The exact function, authority, and responsibility of the individual flight instructor are dependent upon the training mission and the crew assigned as issued in approved training syllabuses. On those training missions where a pilot under instruction is the pilot in command, instructor guidance shall be advisory in nature and under no circumstance shall pilots in command be relieved of their authority and responsibility as outlined in paragraph 3.5.1. Termination of the training or evaluation portions of the flight for reasons of safety, unsatisfactory performance, or material discrepancy shall be the instructor's prerogative.

3.6 AIRCREW COORDINATION/CREW RESOURCE MANAGEMENT

The objective of the Aircrew Coordination Training (ACT)/**Crew Resource Management (CRM)** Program is to integrate the instruction of specifically defined behavioral skills throughout Navy and Marine Corps aviation training, and to integrate the effective application of these behavioral skills into operational aviation procedures wherever appropriate.

ACT will increase mission effectiveness, minimize crew preventable error, maximize aircrew coordination, and optimize risk management.

Commanders shall ensure that all personnel whose duties involve flying as an aircrew member in naval aircraft receive ACT. ACT shall be conducted annually, including an academic portion and a flight/simulator evaluation. **Annual recurrency training shall be recorded in NATOPS jacket in accordance with OPNAVINST 1542.7.**

3.6.1 Critical Behavioral Skills. The critical behavioral skills that form the basis of ACT are:

a. Decision making. The ability to choose a course of action using logical and sound judgment based on available information. Effective decision making requires:

- (1) Assessing the situation
- (2) Verifying information
- (3) Identifying solutions
- (4) Anticipating decision consequences
- (5) Making the decision
- (6) Telling others of the decision and rationale
- (7) Evaluating the decision.

b. Assertiveness. An individual's willingness to actively participate, state, and maintain a position, until convinced by the facts that other options are better. Assertiveness is respectful and professional, used to resolve problems appropriately, and to improve mission effectiveness and safety.

c. Mission Analysis. The ability to develop short-term, long-term, and contingency plans and to coordinate, allocate, and monitor crew and aircraft resources. Effective planning leads to flight conduct that removes uncertainty, increases mission effectiveness, and enhances safety.

d. Communication. The ability to clearly and accurately send and acknowledge information, instructions, or commands, and provide useful feedback. Effective communication is vital to ensure

that all crewmembers understand aircraft and mission status.

e. Leadership. The ability to direct and coordinate the activities of other crewmembers or wingmen, and to encourage the crew to work together as a team. There are two types of leadership:

(1) Designated Leadership - Leadership by authority, crew position, rank, or title. This is the normal mode of leadership.

(2) Functional Leadership - Leadership by knowledge or expertise. Functional leadership is temporary and allows the most qualified individual to take charge of the situation.

f. Adaptability/Flexibility. The ability to alter a course of action based on new information, maintain constructive behavior under pressure, and adapt to internal and external environmental changes. The success of a mission depends upon the crew's ability to alter behavior and dynamically manage crew resources to meet situational demands.

g. Situational Awareness. The degree of accuracy by which one's perception of the current environment mirrors reality. Maintaining a high level of situational awareness will better prepare crews to respond to unexpected situations.

3.6.2 Ineffective ACT/CRM. Ineffective ACT/CRM can result in one or more of the following:

- a. Loss of Aircraft/Aircrew
- b. Flight/Ground Mishap
- c. Violation of FAR 91
- d. Violation of NATOPS/flight minimums
- e. Violation of SOP
- f. Poor Mission Effectiveness and Accomplishment
- g. Degradation of Unit Readiness

3.6.3 Effective ACT/CRM Training. Optimal ACT/CRM training is integrated, research-based,

and skill-oriented, incorporating the Information, Demonstration, Practice, and Feedback Instructional Methodology. The success or failure of Crew Resource Management rests ultimately with each individual performing duties as an aircrew member in naval aircraft. Naval Aircrew shall exhibit thorough knowledge of self, aircraft, team, environment, the seven critical skills, and risk to employ sound and logical judgement in the prevention of human errors. More information is available through the U.S. Navy ACT/CRM website at www.act.navy.mil.

3.7 OPERATIONAL-RISK MANAGEMENT

Operational-Risk Management (ORM) is a systematic, decision making process used to identify and manage hazards that endanger naval resources. ORM is a tool used to make informed decisions by providing the best baseline of knowledge and experience available. Its purpose is to increase operational readiness by anticipating hazards and reducing the potential for loss, thereby increasing the probability for success to gain the competitive advantage in combat. ORM is not just related to naval aviation; it applies across the warfighting spectrum.

3.7.1 ORM Process Description.

- a. ORM employs a five-step process:
 - (1) Identify hazards
 - (2) Assess hazards
 - (3) Make risk decisions
 - (4) Implement controls
 - (5) Supervise.
- b. The ORM process is utilized on three levels based upon time and assets available.
 - (1) Time-critical: A quick mental review of the five-step process when time does not allow for any more (i.e. in-flight mission/situation changes).
 - (2) Deliberate: Experience and brain storming are used to identify hazards and is best done in groups (i.e. aircraft moves, fly on/off).

- (3) In-depth: More substantial tools are used to thoroughly study the hazards and their associated risk in complex operations (i.e., Weapons Det).

- c. The ORM process is guided by the four principles:

- (1) Accept risk when benefits outweigh the costs
- (2) Accept no unnecessary risk
- (3) Anticipate and manage risk by planning
- (4) Make risk decisions at the right level.

3.7.2 Enhancing ORM. To enhance ORM awareness and standardization, the NATOPS model manager shall incorporate risk management concepts and wording into crew coordination and flight planning sections of the individual aircraft NATOPS manuals.

3.8 FUNCTIONAL CHECKFLIGHTS

The requirements for functional checkflights are stated in OPNAVINST 4790.2. Commanding officers shall ensure compliance with the following.

3.8.1 Crew Composition. Functional checkflights shall be conducted with the minimum crew required for safe flight. All flight personnel shall be fully qualified in accordance with this instruction and the applicable NATOPS manual. Appropriate maintenance quality assurance and project specialist personnel required to accomplish the functional check may be utilized, provided they meet minimum aviation physiology and water survival training requirements. Passengers shall not be carried. The pilot in command shall be designated in writing by the commanding officer as a functional check pilot for either a full-system check or the partial system(s) to be checked.

3.8.2 Weather Criteria. Functional checkflights should be conducted during daylight hours within the local flying area in VMC. If necessary to accomplish the assigned mission, unit commanders may authorize checkflights under conditions other than the above if in their opinion the flight can be con-

ducted with an acceptable margin of safety under the existing conditions. The authority shall not be delegated. Those portions of the flights that are considered critical shall be conducted in the vicinity of a suitable landing area.

3.9 REPORTING AND RECORDING OF DEVIATIONS AND VIOLATIONS OF FLYING REGULATIONS AND MISHAP INFORMATION

This section details the procedures for alleged violations of service or Federal flying regulations. Generally, commanders or commanding officers will receive notification of an alleged deviation by a member of their command via a copy of FAA 8020-11, Federal Aviation Administration Incident Report. Paragraph 3.9.6 delineates the responsibility of the command for flight incidents. Reports of alleged violations received from the Federal Aviation Administration will be forwarded to CNO (N785F) and will be processed as a major infraction. Major infractions are those that have general public, Congressional, or service interest (i.e., any infraction that cannot be resolved administratively at the command level).

3.9.1 Reports of Investigations of Violations of Flying Regulations

3.9.1.1 Responsibility. An alleged violation of flying regulations falls within the purview of U.S. Navy regulations. The responsibility to conduct the investigation into an alleged flight violation belongs to the immediate superior in the chain of command of the individual involved. However, activities whose base facilities and/or aircraft are used by pilots not attached to those activities are responsible for conducting the investigation and for notifying the commanding officer of the individual involved.

3.9.1.2 Procedures. Investigation and reporting procedures shall be in JAGMAN format using the guidelines and rules contained in JAGINST 5800.7, Manual of the Judge Advocate General. Each fact must be supported by testimony, documentary, or real evidence. Statements of the pilots concerned should be included along with maintenance action forms, flight schedules, and other documentary evidence. The report of violation of flying regulations is administrative in nature, and statements taken there-

under may not be the basis of subsequent legal or disciplinary proceedings unless the provisions of Uniform Code of Military Justice (UCMJ) Article 31 have been observed.

3.9.1.3 Intent. Lack of intent does not in itself constitute absence of culpability. One can be so grossly negligent as to equate omission with commission. The question is whether the pilot in command or the formation leader could reasonably have been expected to avoid the violation.

3.9.1.4 Content of Report. In making a report of an alleged violation of flying regulations, the commanding officer shall state a conclusion as to whether the alleged violation actually occurred, and if so:

- a. A conclusion as to whether or not the pilot in command was culpable in the light of pilot responsibilities and any mitigating or extenuating circumstances that may have existed.
- b. Any action taken, pending, or recommended.

Note

The authority to issue a flight violation lies solely with the Chief of Naval Operations.

3.9.1.5 Forwarding of Report. With the exception of alleged air defense identification zone (ADIZ) violations, reports regarding naval personnel shall be forwarded to CNO (N785F) via the chain of command. Alleged flight violations involving USMC personnel shall be forwarded through CMC (ASM) prior to final processing by CNO (N785F). Each endorser shall indicate concurrence/non-concurrence with the commanding officers report. Under no circumstances shall a report of investigation be released to any agency outside the Navy without prior approval of CNO (N78). Direct communication with commands (activities/ agencies) outside the naval service in connection with violations shall be limited to that authorized in the basic instruction.

3.9.1.6 Time Limits on Action of Each Report of Investigation

- a. To expedite action on a report of an investigation of an alleged violation, investigation by military agencies are limited as follows:

(1) By the investigating unit - within 14 duty days from time of receipt.

(2) By each intermediate command – within 7 duty days from time of receipt.

b. Each report will reach the appropriate final addressee within 60 days except in the following cases:

(1) When a commander cannot complete an investigation within the above time schedule, the commander will notify the final addressee of the reason for the delay and give an estimate of when the investigation will be forwarded.

(2) When Field Naval Aviator Evaluation Board (FNAEB) or Field Flight Performance Board (FFPB) proceedings are involved, the commander will be governed by current regulations (NAVMILPERSMAN ART. 3410300) or Marine Corps Order 1000.6 (ACTS) Manual as appropriate. Inform CNO (N785). A FNAEB or FFPB does not relieve the command of the requirement to conduct a JAGMAN investigation.

(3) When a commander takes UCMJ action as a result of a flying violation, the commander will promptly forward the report of investigation and inform the final addressee of any pending action. An officer who exercises general court-martial jurisdiction will inform the final addressee of the final appellate action taken in each general and special court-martial case involving a violation of flying regulations.

c. The final addressee for flight violation processing is CNO (N785F).

3.9.2 FAA Reports and Cooperation. When requested to do so by FAA, commands:

a. Shall not release the names of the aircrew; names are to be released only by CNO.

b. May furnish only factual information (excluding aircrew names) that would normally be available to air traffic facilities; this response shall not contain any conjectures, assumptions, or hearsay.

Note

Each command shall ensure that all attached/assigned aircrew and air operations personnel understand that:

(1) They may make oral or written statements to FAA personnel, but that such a statement is voluntary and may be used against the individual making the statement.

(2) Reports required by Part 91 of the FARs are mandatory; they are not included in the foregoing policy.

3.9.3 Applicability of Flying Regulations

Other Than Naval. Pilots flying naval aircraft are responsible for compliance with flying regulations of other agencies, military or civil, only to the extent specifically provided by OPNAV directives (see paragraphs 1.2.4 and 1.2.5).

3.9.4 Alleged Air Defense Identification Zone Violations.

Commanders receiving a report of an alleged ADIZ violation will investigate the report promptly. Results of such an investigation will be forwarded to the immediate superior. Reports shall contain the following:

- a. Conclusions
- b. The action(s) taken or recommended to prevent a recurrence
- c. The nature of any disciplinary action taken.

3.9.5 Flight Personnel Training/Qualification Jacket Entry/Aviators Flight Log Book Entry.

An entry of a violation into Flight Personnel Training/ Qualification Jacket and Aviators Flight Log Book will be made at the sole direction of CNO and will be made in accordance with paragraph 10.5.2 and Appendix A. Care shall be exercised to avoid the use of information from aircraft mishap board members, mishap reports, and endorsements, including the COMNAVSAFECEN endorsement, as a basis for the entries.

3.9.6 Incident Reports

- a. Pilots in command and local commanders will ensure that deviations from **ATC clearances and instructions, which result because of emergency or operational necessity, are reported to FAA immediately. Refer to FAR, Part 91 Sections 91.3 and 91.123.**
- b. Incident reports (FAA 8020-11) are sent from FAA to the Department of the Navy Representatives (NAVREPs). The NAVREPs shall forward the reports to the appropriate commands for information.
- c. Subsequent FAA investigation of flight incidents may reveal that the deviation involved a violation of the FARs. If a violation is found, the incident is further processed as an alleged flight violation and FAAs investigation is sent to CNO for processing in accordance with paragraph 3.9.1. Because of the lengthy FAA investigative process, as much as a 1-year delay may occur before the responsible naval commands receive notification of an alleged flight violation. Because of such delays, commands are advised to make and retain statements concerning incidents in the event the incidents are subsequently processed as flight violations.

3.10. CROSS-COUNTRY PLANNING

3.10.1 Cross-Country Flight. A cross-country flight is any flight that either does not remain in the local flying area or remains in the local flying area and terminates at a facility other than an active military facility. This includes out and ins. Commanding officers must ensure that these flights contribute to the mission of the command and the naval service, achieve training requirements, and can be completed safely. Commanders/commanding officers shall ensure a thorough risk assessment has been conducted for the proposed cross-country flight. The following preflight planning checklist provides additional factors which should be considered by the approving authority. These risk considerations are not intended to impose unnecessary restrictions on those flights that are deemed necessary for the training and experience of aviators/aircrew or those evolutions which contribute to the missions of the naval service.

- a. Does the cross-country flight achieve training objectives as established in a training syllabus or training/readiness matrix?
- b. Does the flight contribute to the mission of the command or the naval service?
- c. Could this flight be perceived by the public as not in the best interest of the U.S. Government?
- d. If the flight is exclusively for the transportation of the aircrew, is the purpose to meet operational commitments? If so, is alternate transportation, commercial or military, readily available? More economical?
- e. Is this flight planned exclusively for the convenience and/or to enhance the prestige of the officers concerned?
- f. Is there a major sporting or civic event scheduled at the destination? Cross-country flights are not authorized to these destinations.
- g. Is the cross-country destination the home town of any of the crewmembers? A flight to ones home town is legal, provided repeated flights are not performed (Ref. 3.1.2). Is there a personal event such as a wedding, family reunion, graduation, etc. that a member of the flight is trying to attend? Is it in the hometown of anyone on the aircraft or a destination that has been repeatedly flown to by the aircrew?
- h. Has the aircrew thoroughly planned all aspects of the flight? Are they qualified and properly designated to conduct the flight?
- i. Is proper security for the aircraft adequate at the intended destination? The alternate?
- j. Does the flight meet squadron, wing, and TYCOM directives?
- k. Have adequate maintenance precautions been planned to ensure proper servicing and maintenance of the aircraft is performed?

3.10.2 Risk Assessment. The above checklist is derived from policy guidance contained in other sections of this manual. This list is not all-inclusive, since it does not cover unique risk factors deter-

mined by squadron mission, employment, operating environment, geographical location, aircraft type, model, series, and aircrew personal factors. However, it should provide a starting point for conducting a thorough risk assessment of each intended flight. The commanding officers written authorization and the signature of the pilot in command on the flight plan indicate that a thorough risk assessment has been conducted.

3.10.3 Implementation. This guidance is not intended to reduce the frequency and/or value of a unique and productive training opportunity, nor is it intended as a substitute for thorough planning, sound airmanship, and good headwork. Type, wing, and squadron commanders shall ensure appropriate procedures are in place for consistent implementation and monitoring of full compliance with this guidance.

3.11 TERMINAL INSTRUMENT PROCEDURES

3.11.1 General. Except when this requirement is waived for a flight in support of a nonstandard operation, aircrews flying passenger and/or troop-carrying aircraft shall not fly an instrument approach that has not been validated as safe and accurate by an U.S. Agency in accordance with:

- a. U.S. TERPS — FAA Order 8260.3 (OPNAVINST 3722.16 (NOTAL))
- b. ICAO Procedures for Air Navigation Services—Aircraft Operations PANS-OPS or
- c. NATO criterion for the preparation of an instrument approach that has been validated to be safe and accurate by another U.S. Government (USG) service in accordance with these standards, categorizes the procedure as a U.S. Government procedure and constitutes authority for use of the procedure by the other service.

3.11.1.1 Nonstandard Operation. A non-standard operation is defined as when an urgent requirement exists to fly a short-notice mission in support of a humanitarian, contingency, MEDEVAC, special access or state department requirement. Commanders (0-8 or above) exercising Operational Control (OPCON) of aircraft operating in support of

nonstandard operations are responsible for mission risk assessment and therefore may waive the requirement for a TERPS review of a Non-USG instrument procedure. If aircraft and aircrew are chopped to a Joint Task Force (JTF) and a waiver is required, the JTF Commander shall request the waiver, and if operationally feasible, the commander issuing the waiver shall consult with the appropriate service component before granting the waiver. When a waiver is issued, the Commander issuing the waiver shall immediately notify the National Military Command Center's On-Duty Deputy Director for Operations (DDO) DSN 225-0098 or COMM 703-695-0098, of the extent of the waiver and provide, at a minimum, the mission identification, the time and date the waiver was granted, and the circumstances that precipitated the decision.

3.11.2 U.S. Civil Airports. Activities or commands having a requirement for instrument procedures to civil airports in the U.S. that are not published in the DOD FLIP Terminal Procedures shall submit a request for the procedure(s) desired, with justification, through the type commander to Naval Flight Information Group (NAVFIG) for publication. The justification will include a statement indicating that the procedure is needed to support an operational or contingency requirement and the expected annual usage of the procedure. NAVFIG address is contained in DOD FLIP General Planning, Chapter 11.

All FAA-approved civil instrument departures and arrivals for the U.S. are published through NOS. They are not published in the DOD FLIP.

3.11.3 Other Than U.S. Airports. Activities or commands having a requirement for terminal instrument procedures to airports in areas other than the U.S. that are not published in DOD FLIP, not validated by NAVFIG or by other service components as conforming to U.S. TERPS, ICAO (PANS-OPS), or NATO (APATC-1), shall coordinate their requirements with the appropriate type commander. The request shall be forwarded with justification to NAVFIG. Such requests should designate the specific host government procedure desired and should also indicate concurrence of the appropriate type commander.

3.11.4 Conformance to TERPs. NAVFIG is the only Naval Authority authorized to validate in-

strument approaches and shall evaluate all such requests, review procedures (other than those approved by the FAA) for conformance with TERPs, and arrange for publication of the procedure in the appropriate FLIP. Instrument approach minimums published in FLIP shall be those specified by TERPs criteria application or the host government minimums, whichever are higher.

3.11.5 Annual Revalidation. In order that FLIP terminal publications contain only those procedures for which an operational or contingency requirement exists, originating activities shall annually revalidate their requirement for procedures published pursuant to this paragraph. This will be accomplished by direct coordination between the establishing activity or command and NAVFIG.